

**DUKE REALTY CIRCLE DRIVE DEVELOPMENT, LLC
141 CIRCLE DRIVE NORTH
PISCATAWAY, NEW JERSEY 08854**

21-PB-05/08

**PISCATAWAY TOWNSHIP PLANNING BOARD
RESOLUTION
PRELIMINARY & FINAL SITE PLAN AND BULK VARIANCE**

WHEREAS, Duke Realty Circle Drive Development LLC., of 141 Circle Drive North, Piscataway, New Jersey 08854, has requested the Piscataway Township Planning Board approve its preliminary and final major site plan and deviations from the provisions of the Piscataway Township Zoning Ordinances to permit the construction of an approximately 132,855 square foot trailer storage-parking area on the site, at the premises known on the Tax Map as Block 4102, Lot 2, pursuant to 141 Circle Drive North Redevelopment Plan, at 141 Circle Drive North.

DEVIATIONS REQUIRED:

Required – a fence may be no more than 6 feet in height and chain link fences are prohibited.

Proposed - a 6 foot chain link fence located on a wall to exceed a total height above 6 feet.

IN ACCORDANCE WITH MAPS PREPARED BY:

1. Set of plans entitled “Preliminary and Final Site Plan for 141 Circle Drive,” consisting of eighteen (18) sheets, prepared by Menlo Engineering Associates, dated January 29, 2021 and last revised February 19, 2021.
2. ALTA/NSPS (2016) Land Title Survey, consisting of one (1) sheet, prepared by Taylor Wiseman & Taylor, dated October 15, 2019 and last revised October 15, 2020.
3. Operation and Maintenance Manual for 141 Circle Drive prepared by Menlo Engineering Associates, dated January 29, 2021.

WHEREAS, a hearing was held before the Planning Board on April 14, 2021 at which time testimony was received; and

WHEREAS, the Board has concluded, after carefully considering the evidence presented at the above-mentioned public hearing the following factual findings:

1. The Property is located at 141 Circle Drive North and is trapezoidal shaped 5.59 acre property. The property was located in the LI-5 Light Industrial Zone, however, the use of the property is now regulated by the 141 Circle Drive North Redevelopment Plan, dated November 23, 2020.

2. The property is located southeast of the intersection of Possumtown Road and Circle Drive North and has frontage along both roadways.

3. The Applicant is seeking Preliminary and Final Major Site Plan approval to construct 132,855 square feet of asphalt and concrete pavement with a seventy (70) foot wide drive aisle through the parking area and a total of 119 trailer parking spaces. 76 of these spaces are provided as stacked parking spaces. This is permitted in the Redevelopment Plan. A 65 square foot guard house is proposed at the northern entrance/exit from Circle Drive North.

4. Two (2) ingress/egress drive aisles are proposed; one (1) from Circle Drive North and one (1) from Possumtown Road. Both entries/exits are proposed to be thirty (30) feet wide and both are proposed to have swing gates for vehicles entering and leaving the facility. Two free-standing monument signs are proposed, one (1) at the Possumtown Road entrance and the other at the Circle Drive North entrance.

5. A 6 foot high chain link fence is proposed around the entire trailer storage area. Six foot high swing gates are proposed at each site entry. There is a guardhouse proposed behind the swing gates off of Circle Drive North.

6. A 5 foot wide sidewalk is proposed along the Possumtown Road and Circle Drive North property frontage. Painted crosswalks will be provided across each entrance.

7. The Applicant is proposing a new 24,565 square foot underground stormwater detention basin along the eastern boundary of the trailer storage area. A total of 518 trees will need to be removed to facilitate construction of the trailer storage lot.

8. Grading, utility, landscaping, and lighting improvements are also proposed.

9. The applicant will provide a 1,297 square foot right-of-way dedication at the southwestern corner of the property along Possumtown Road to the Township of Piscataway. This reduces the size of the lot to 5.51 acres. An additional 8,519 square feet along the Possumtown Road frontage is proposed to be dedicated as a variable-width right-of-way easement to the Township.

10. The following exhibits were introduced into evidence:

A-1 Existing Conditions Exhibit.

A-2 Overall Site Plan Exhibit.

11. Mike Davis, the Director of Development Services for Duke Realty was sworn in on behalf of the Applicant.

12. Mr. Davis outlined for the Board the proposed use of the property. He testified that the Bob's Discount Furniture trucks located on the site will be used to make deliveries. The employees would park their private vehicles on the site and take the box truck out for deliveries. They would then at the end of the day reload them at the Bob's Discount Furniture site at 150 Old New Brunswick Road and bring the box trucks back to the proposed development site, park the trucks, get their personal automobiles and leave for the day. Bob's Discount Furniture will also store trailers at the property.

13. Gregory S. Oman, P.E., a licensed professional engineer, of Menlo Engineering Associates, whose office is located at 261 Cleveland Avenue, Highland Park, New Jersey, was

sworn in on behalf of the Applicant. His credentials as a professional engineer were recognized by the Board.

14. Mr. Oman testified utilizing A-1 and A-2 and went over the proposed development with the Board.

15. Mr. Oman testified that the parking spots for the trucks will be 12 feet by 60 feet. The primary entrance is off of Circle Drive. The secondary entrance is off of Possumtown Road. The Applicant will provide sidewalks along Possumtown Road and Circle Drive North frontage.

16. Mr. Oman further testified that because there was an increase in impervious coverage it is a major development. The Applicant has designed an Underground Water Detention Plan to comply with all State and Local Standards.

17. Mr. Oman testified that there would be essentially two deviations from the redevelopment plan. The Applicant was proposing a chain link fence with black coating for security. In addition, in certain areas because the fence must be placed on a retaining wall, it will exceed 6 feet in height.

18. Mr. Oman testified that the Applicant will provide one (1) electric charging station in conformance with the Municipal Ordinance. Furthermore, Mr. Oman testified that they will restripe a portion of the parking lot for twenty-five (25) cars spots in lieu of ten (10) truck spots. This will result in 109 trucks spots and 25 cars spots. In addition, Mr. Oman testified that he will work with the Municipality's professional staff to place the car spots in the most advantageous location.

19. Mr. Oman testified that the Applicant will comply with all of the staff reports from CME Associates dated March 22, 2021, the Divisions of Engineering and Planning & Development dated March 23, 2021, the report of Dawn Corcoran revised as of March 24, 2021 and the report of Dolan & Dean Consulting Engineers, LLC., dated March 19, 2021.

20. Scott T. Kennel, of McDonough & Rea Associates, Inc., whose office is located at 1431 Lakewood Road, Suite C, Manasquan, New Jersey, was sworn in on behalf of the Applicant. His credentials as a traffic expert were recognized by the Board.

21. Mr. Kennel testified that the proposed development will have no impact on traffic in the area.

22. Mr. Kennel further testified that the Possumtown Road entrance/exit will be right turn only, no left turns allowed.

23. Mr. Kennel testified that the Applicant will comply with all of the recommendations set forth in the Dolan & Dean report.

24. The Applicant agreed to work with Mr. Hinterstein to resolve any landscaping issues and landscaping buffering issues.

25. Members of the public were invited to comment and pose questions and testify. Brian Rak of 1247 Brookside Road had questions about the landscape screening and buffering and water runoff.

CONCLUSIONS

1. The Board concluded that the proposed site plan would be beneficial to the site, as well as to the surrounding properties and to the Township in general and in conformance with the redevelopment plan previously adopted.

2. The Applicant demonstrated that the requested approval could be approved without substantial detriment to the intent and purposes of the Zoning Plan, Zoning Ordinance and the public good.

3. The Board concluded that the requested site plan and the deviations from the Redevelopment Plan for the fence the Applicant sought were appropriate for the site and in determining same the Board accepted the testimony of the Applicant's experts and witnesses and the recommendations of the Township's professional staff as well that same could be granted without substantial detriment to the Redevelopment Plan, the surrounding properties and Township.

4. The Board concluded as to the proposed onsite improvements, which are subject to the review and approval of the Board's professional staff, that without the agreement of the Applicant to continuously maintain the improvements, the Board would not have otherwise approved the proposed site plan. The Board further finds that all onsite improvements must be continually maintained by the Applicant and that the maintenance of all onsite improvements is required in order that the Applicant's project will not be a substantial detriment to the public good and that the site plan will not only be beneficial to the subject property, but also to the surrounding properties.

For other such reasons as stated in the minutes and recorded at the hearing.

NOW, THEREFORE, be it resolved by the Piscataway Township Planning Board pursuant to its statutory powers and on April 14, 2021, on a Motion by Dawn Corcoran-Gardella and seconded Carol Saunders, that the Preliminary and Final Plan Approval and deviations requested by Duke Realty Circle Drive Development, LLC., for Block 4102, Lot 2 is approved subject to the following conditions:

1. The Applicant must document approvals or exemption from the Middlesex County Planning Board, Freehold Soil Conservation District, NJDEP and all other outside agencies having jurisdiction.

2. Submission of a copy of the approved site plan, with supporting details, in electronic format (AutoCad). This condition may be waived by the Director of Community Development, where appropriate in his/her opinion.

3. The Applicant will submit all appropriate documentation if required to address all wetland, wetland transition areas, waterfront development and riparian zone development issues with the NJDEP before proceeding with any construction associated with this Application.

4. In accordance with Chapter XXXI, of the Revised General Ordinances of the Township of Piscataway, Streets Sidewalks, Section 31-1.2C, no street opening permit will be issued when a street has been paved within the last eight years.

5. Applicant to post bonds and certified checks in amounts satisfactory to the Township Engineer for all improvements required herein by reason of this approval.

6. All onsite improvements must be continually maintained by the Applicant and its successors. Maintenance of all onsite improvements is necessary in order the proposed development mitigate any detriment to the public good and be beneficial to the subject and surrounding properties.

7. Submission of revised plans in a form acceptable to the Divisions of Engineering and Planning & Development evidencing compliance with the recommendation of said Divisions in their Memorandum to the Planning Board dated November 26, 2019.

8. The Applicant shall work with Mr. Henry Hinterstein, the Board's landscape architect, to resolve any landscaping issues to the Township's satisfaction.

9. Compliance with the representations set forth in the findings of facts set forth above and agreed to at the hearing.

10. The Applicant will comply with all of the recommendations as set forth in the Board's Professional Staffs reports as previously outlined.

11. As to the redevelopment issues:

- a. Applicant must obtain designation as the Redeveloper of the Property by the Township Council;
- b. That the Applicant and the Township shall execute a mutually agreeable Redevelopment Agreement; and
- c. That the Applicant and the Township execute a mutually agreeable Developer's Agreements that recognize the impacts of the project upon the Township. These issues may be incorporated in the Redevelopment Agreement mention hereinabove as Condition # 11b.

12. Within twenty (20) days of the memorialization of this Resolution, the Applicant shall publish notice of the Planning Board decision in the Courier News or The Star Ledger;

BE IT FURTHER RESOLVED THAT, copies of this Resolution be forwarded to the Tax Assessor, Township Engineer, Zoning Office and the Applicant.

The above is a memorialization of a motion which was duly seconded and passed on April 14, 2021, on the following vote:

THOSE IN FAVOR: Mayor Wahler, Councilwoman Cahill, Ms. Corcoran-Gardella, Rev. Kenney, Ms. Saunders, Dennis Espinoza and Chairperson Smith.

OPPOSED: None

The undersigned, Secretary to the Piscataway Township Planning Board, hereby certifies that the above is a true copy of a Resolution memorialized by said Board on the 12th, day of May, 2021, on the following vote:

THOSE IN FAVOR: Mayor Wahler, Councilwoman Cahill, Dawn Corcoran-Gardella, Ms. Saunders, Rev. Henry Kenney, Dennis Espinosa and Chairperson Brenda Smith.

OPPOSED: None

A handwritten signature in cursive script, reading "Carol Saunders", written over a horizontal line.

CAROL SAUNDERS, SECRETARY
PISCATAWAY PLANNING BOARD